

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN.

APR 17 2019



DEPUTY CLERK

UNITED STATES OF AMERICA)	
)	
v.)	NO. 3:18-cr-00144
)	18 U.S.C. § 242
)	18 U.S.C. § 1001
)	18 U.S.C. § 1519
MARK BRYANT)	

S U P E R S E D I N G I N D I C T M E N T

THE GRAND JURY CHARGES:

At all times material to this Superseding Indictment:

Introduction

1. The Cheatham County Sheriff's Office ("CCSO") operated the Cheatham County Jail, a correctional facility in Ashland City, Tennessee, in the Middle District of Tennessee, that housed detainees arrested on state criminal charges.

2. On or about November 5, 2016, J.N. was a detainee who had not yet been arraigned and who was housed in the Cheatham County Jail while he awaited trial.

3. On or about November 5, 2016, Defendant **MARK BRYANT** was a Corporal at the Cheatham County Jail and was certified to carry a Taser.

4. On or about November 5, 2016, corrections officers removed J.N. from his cell at the Cheatham County Jail and placed him in a restraint chair near the jail's booking area.

Paragraphs 1 through 4 are hereby incorporated by reference into the counts set forth below.

COUNT ONE

On or about November 5, 2016, in the Middle District of Tennessee, **MARK BRYANT**, while acting under color of law, willfully deprived J.N., a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to be free from the use of unreasonable force amounting to punishment. Specifically, **MARK BRYANT** used a Taser on J.N. multiple times without legal justification while J.N. was in a restraint chair and surrounded by multiple officers. One of these Taser cycles lasted approximately 25 seconds and a second cycle lasted approximately 15 seconds. The offense resulted in bodily injury to J.N., and the offense included the use of a dangerous weapon.

All in violation of Title 18, United States Code, Section 242.

COUNT TWO

THE GRAND JURY FURTHER CHARGES:

On or about November 5, 2016, in the Middle District of Tennessee, **MARK BRYANT**, while acting under color of law, willfully deprived J.N., a person known to the Grand Jury, of the right, secured and protected by the Constitution and laws of the United States, to be free from the deprivation of liberty without due process of law, which includes the right to be free from the use of unreasonable force amounting to punishment. Specifically, as officers prepared to transport J.N. to a medical facility, **MARK BRYANT** used a Taser on J.N. without legal justification after J.N. was placed in handcuffs and was surrounded by multiple officers. The Taser cycle lasted for approximately 11 seconds. The offense resulted in bodily injury to J.N., and the offense included the use of a dangerous weapon.

All in violation of Title 18, United States Code, Section 242.

COUNT THREE

THE GRAND JURY FURTHER CHARGES:

On or about November 5, 2016, in the Middle District of Tennessee, **MARK BRYANT**, in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly falsified a document with the intent to impede, obstruct, and influence the investigation and proper administration of the matter within the jurisdiction of a federal agency. Specifically, **MARK BRYANT** falsified a Cheatham County Sheriff's Department report dated November 5, 2016, for a use of force incident involving detainee J.N. by omitting the material information that **MARK BRYANT** tased J.N. multiple times for a total of approximately 50 seconds at approximately 8:00 p.m., and by falsely reporting the sequence of events related to **MARK BRYANT**'s use of a Taser on J.N. at approximately 8:00 p.m., under different circumstances from Officer D.B.'s use of a Taser at 6:55 p.m.

All in violation of Title 18, United States Code, Section 1519.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES:

On or about November 5, 2016, in the Middle District of Tennessee, **MARK BRYANT**, in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly falsified a document with the intent to impede, obstruct, and influence the investigation and proper administration of the matter within the jurisdiction of a federal agency. Specifically, **MARK BRYANT** falsified a Cheatham County Sheriff's Department report dated November 5, 2016, for a use of force incident involving detainee

J.N. by omitting the material information that **MARK BRYANT** tased J.N. for approximately 11 seconds at approximately 10:30 p.m. while J.N. was compliant.

All in violation of Title 18, United States Code, Section 1519.

COUNT FIVE

On or about August 2, 2017, in the Middle District of Tennessee, **MARK BRYANT** did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the executive branch of the Government of the United States. Specifically, **MARK BRYANT** falsely told an agent with the Federal Bureau of Investigation that, on or about November 5, 2016, he did not use force after officers restrained J.N. with a belly chain to transition him from the jail to a vehicle. In truth and in fact, **MARK BRYANT** tased J.N. for approximately 11 seconds after he was restrained with a belly chain and handcuffs, as described in Count Two.

All in violation of Title 18, United States Code, Section 1001.

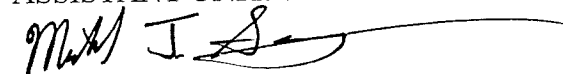
A TRUE BILL:



GRAND JURY FOREPERSON

DONALD Q. COCHRAN
UNITED STATES ATTORNEY


SARA BETH MYERS
ASSISTANT UNITED STATES ATTORNEY


MICHAEL J. SONGER
TRIAL ATTORNEY
CIVIL RIGHTS DIVISION